

Notice of Allowability

Application No.

10/777,817

Examiner

Edgardo San Martin

Applicant(s)

BARBETTA, ANTHONY T.

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Application filed on February 11, 2004.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 11 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/11/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID MARTIN
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DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ken Dalessandro on June 11, 2004.

1. The application has been amended as follows:

- In the Specification on ¶ [0026], Line 10 after "other suitable material." insert - - Preferably, the rigid outer layer 46 can be formed from about 1 to about 3 millimeter plywood, about 1 to 3 millimeters wood composition material, about 1 to 3 millimeters pressboard, about 1 to about 3 millimeters plastic, and about 1 to 3 millimeters fiberglass. - -;
- In the Specification on ¶ [0030], Line 5 after "other suitable material." insert - - Preferably, the rigid inner layer 52 can be formed from about 1 to about 3 millimeter plywood, about 1 to 3 millimeters wood composition material, about 1 to 3 millimeters pressboard, about 1 to about 3 millimeters plastic, and about 1 to 3 millimeters fiberglass. - -.

Allowable Subject Matter

2. Claims 1 – 19 are allowed.

The following is an examiner's statement of reasons for allowance:

- The references of the Prior Art of record fail to teach, or suggest any obvious combination of the limitations comprising in combination, **(With respect to claims 1 and 11)** wherein the first base layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass, wherein the second base layer, is selected from the group consisting of a foam material and an expanded polystyrene, and wherein the third base layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass; wherein the first panel layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass, wherein the second side panel layer is selected from the group consisting of a foam material and an expanded polystyrene, and wherein the third side panel layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass; wherein the fourth side panel layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass, wherein the fifth side panel layer is selected from the group consisting of a foam material and an expanded polystyrene, and wherein the sixth side

panel layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass, wherein the first top layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass, wherein the second top layer is selected from the group consisting of a foam material and an expanded polystyrene, and wherein the third top layer is selected from the group consisting of plywood, wood composition material, pressboard, plastic, and fiberglass.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The attached hereto PTO Form 892 lists prior art made of record and not relied upon, the Examiner considered it pertinent to applicant's disclosure.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edgardo San Martin whose telephone number is (571) 272-2074. The examiner can normally be reached on 8:00AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edgardo San Martín
Patent Examiner
Art Unit 2837
Class 181
June 13, 2004